IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 61860-M of 2006

DATE OF DECISION : 19.01.2007

Bhupinder Pal Singh

.... PETITIONER

Versus

State of Punjab

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. K.K. Garg, Advocate,
for the petitioner.

Mr. N.S. Gill, AAG, Punjab.

* * *

Petitioner Bhupinder Pal Singh, apprehending his arrest in a non-bailable offence in case FIR No. 330 dated 20.9.2006 under Sections 420, 468, 471 IPC, registered at Police Station Kharar, District SAS Nagar, has filed this petition under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail.

I have heard counsel for the parties and have gone through the contents of the FIR as well as the order dated 3.10.2006 passed by Additional Sessions Judge, Ropar, whereby bail application of the petitioner has been dismissed.

Counsel for the petitioner contends that the petitioner was working as a Patwari and on an application, he had issued the certified copy of Jamabandi for the year 2002-03. Counsel contends that the said copy was issued on payment of prescribed fee to one Sarmukh Singh son of Gurbakhsh Singh and if any sale deed has been forged on the basis of the said jamabandi, the petitioner is not liable for the said offence. Counsel for the respondent-State has informed that now during investigation, offence under Section 13 (1) (d) of the Prevention of Corruption Act has also been

added against the petitioner on the ground that before issuing the said copy, he had not seen the previous record pertaining to the said land. In this regard, counsel for the petitioner contends that if a certified copy of the Jamabandi for a particular year is asked, Patwari is not supposed to see the previous record and he is only to supply the copy. He further submits that in terms of the interim order dated November 23, 2006, the petitioner has joined the investigation. The State counsel, after having instructions from Didar Singh ASI, does not dispute this fact.

In view of the above, without commenting on the merits, the interim bail, granted vide order dated October 10, 2006, is made absolute subject to the same terms and conditions.

Disposed of accordingly.

January 19, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**